

APPEAL NO. 23-4509 (L); CROSS APPEAL NO. 23-4566

**In The United States Court of Appeals
for the Fourth Circuit**

UNITED STATES OF AMERICA,*Plaintiff-Appellee/Cross-Appellant,**versus***RUSSELL LAFFITTE,***Defendant-Appellant/Cross-Appellee.*

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA, BEAUFORT DIVISION
THE HONORABLE RICHARD M. GERGEL, PRESIDING**

SUPPLEMENTAL APPENDIX

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Columbia, South Carolina 29201
Telephone: (803) 540-2146
Telephone: (803) 253-8247***Counsel for Appellant/Cross-Appellee*

**KATHLEEN MICHELLE STOUGHTON
EMILY EVANS LIMEHOUSE
WINSTON D. HOLLIDAY, JR.
OFFICE OF THE U.S. ATTORNEY
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Columbia, South Carolina 29201
Telephone: (803) 929-3000***Counsel for Appellee/Cross-Appellant*

SUPPLEMENTAL APPENDIX

TABLE OF CONTENTS

Government’s Exhibit 045 (Nov. 1, 2011 Email from RLL to AM to Charge Off 0 United Redbeard).....SA001

Government’s Exhibit 046 (Nov. 13, 022 Email re Berk Prop Loans)SA003

Government’s Exhibit 047 (Dec. 12, 2011 Email re Payment of Redbeard and 0 United)SA004

Government’s Exhibit 048 (Dec. 20, 2011 Email re Call Me (PinckneyThomas)SA005

Government’s Exhibit 049 (Dec. 27, 2011 Email re Payment of 0 United and Redbeard)SA006

Excerpt from Government’s Exhibit 108 (Malik Williams Probate File Redacted)SA007

Excerpt from Exhibit 109 (Hakeem Pinckney Probate File Redacted)SA008

Excerpt from Exhibit 110 (Natasha Thomas Probate File Redacted)SA011

Government’s Exhibit 190 (AM Overdraft Status and Transfer Summary Chart)SA014

Excerpt from Government’s Exhibit 196 (Natasha Thomas Lawyer Loan Redacted) SA015

From: "Alex Murdaugh" <AMurdaugh@pmped.com>
To: "Russell L. Laffitte" <rlaffitte@palmettostatebank.com>
Subject: Re: Redbeard, LLC
Date: Tue, 1 Nov 2011 10:48:11 -0400
Importance: Normal

I will call u this aft

Sent from my iPhone

On Nov 1, 2011, at 10:12 AM, "Russell L. Laffitte" <rlaffitte@palmettostatebank.com> wrote:

Alex,

I have the loan renewal for Redbeard, LLC ready to be signed. I will need to collect \$47,663.78 for the interest.

I have set the loan up in two separate loans. One is for \$288,750. It is set up on a 10 year amortization on a 3 year balloon. The annual payments will be \$38,791.71. The other loan is \$381,102.69. This loan is set up on a single annual payment. As soon as we book the renewal, we will charge this loan off completely. You will not pay the interest or anything on it until the property is sold or the other loan is paid down.

We are doing this to comply with the FDIC. They want banks to realize the negative equity in the loan. This is why we are doing this. We expect to be paid in full, but we realize that it will be down the road before it can happen.

Please set up with Barrett, Josh Hulen, Thomas Boulware, and David Grubbs as to when they can come to Hampton to sign the renewals. Please have them bring a current financial statement with them also.

Thanks,

Russell L. Laffitte

Vice President

Palmetto State Bank

P.O. Box 158

RAM-000175

LAFFITTE_RESTRICTED_ACCESS_0128512

SA001

Hampton SC 29924

803-943-7694

rlaffitte@palmettostatebank.com

This communication is a confidential and proprietary business communication. It is intended solely for the use of the designated recipient(s). If this communication is received in error, please contact the sender and delete this communication.
=====

RAM-000176

LAFFITTE_RESTRICTED_ACCESS_0128513

SA002

From: "Alex Murdaugh" <AMurdaugh@pmped.com>

To: "Russell L. Laffitte" <rlaffitte@palmettostatebank.com>

Date: Mon, 14 Nov 2011 09:06:01 -0500

Importance: Normal

When can u meet w me to talk about berkley prop loans

Sent from my iPhone

RAM-000177

LAFFITTE_RESTRICTED_ACCESS_0128514

SA003

From: "Alex Murdaugh" </O=PMPED/OU=FIRST ADMINISTRATIVE GROUP/CN=RECIPIENTS/CN=AMURDAUGH>
To: "Russell L. Laffitte" <rlaffitte@palmettostatebank.com>
Subject: RE: Redbeard LLC
Date: Mon, 12 Dec 2011 15:50:12 -0000
Importance: Normal

No but I will pay it. When we talk I will remind you what we discussed. I need to put some money in mags acct can you put 3000 in hers

From: Russell L. Laffitte [mailto:rlaffitte@palmettostatebank.com]
Sent: Friday, December 09, 2011 1:07 PM
To: Alex Murdaugh
Subject: Redbeard LLC

Are your partners coming up with the money for the renewal? I need to do it before the end of the year.

Thanks,

Russell L. Laffitte
Vice President

Palmetto State Bank
P.O. Box 158
Hampton SC 29924
803-943-7694
rlaffitte@palmettostatebank.com

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=====

RAM-000179

LAFFITTE_RESTRICTED_ACCESS_0128516

SA004

From: "Alex Murdaugh" <AMurdaugh@pmped.com>

To: "rlaffitte@palmettostatebank.com" <rlaffitte@palmettostatebank.com>

Date: Tue, 20 Dec 2011 15:43:51 -0500

Importance: Normal

Can u call me

Sent from my iPhone

RAM-000180

LAFFITTE_RESTRICTED_ACCESS_0128517

SA005

From: "Alex Murdaugh" <AMurdaugh@pmped.com>
To: "Russell L. Laffitte" <rlaffitte@palmettostatebank.com>
Subject: Re:
Date: Tue, 27 Dec 2011 12:25:45 -0500
Importance: Normal

As soon as we get bonus checks

Sent from my iPhone

On Dec 27, 2011, at 11:06 AM, "Russell L. Laffitte" <rlaffitte@palmettostatebank.com> wrote:

Alex,

When are we going to do redbear and 0 united?

Russell L. Laffitte

Vice President

Palmetto State Bank

P.O. Box 158

Hampton SC 29924

803-943-7694

rlaffitte@palmettostatebank.com

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RAM-000181

LAFFITTE_RESTRICTED_ACCESS_0128518

SA006

**PROBATE COURT
DOCKET SHEET**FILING DATE 08/16/10CASE NUMBER 10622500014DATE FIDUCIARY
QUALIFIED 08/16/10☐ CHECK IF G / C CASE IS A TRUST ESTATE**ESTATE OR GUARDIANSHIP / CONSERVATORSHIP FOR**☐ PERSONAL REPRESENTATIVE
☒ CONSERVATOR ☐ GUARDIAN☐ TESTATE
☐ INTESTATELAST WILLIAMS FIRST MAJIK MIDDLE INITIALLAST LAFFETTE FIRST RUSSELL MIDDLE INITIAL

P.O. Box 158

Hampton

SC

29924

TELEPHONE NUMBER

ATTORNEY OR OTHER CONTACT

Detrick

J.

Paul

STREET ADDRESS

CITY

STATE

ZIP

TELEPHONE NUMBER

EXCEPTIONS

- ☐ TAXABLE ESTATE ☐ TAX CLOSING LETTER RECEIVED DATE
- ☐ SMALL ESTATE AFFIDAVIT (82-3-1201) DATE
- ☐ SUMMARY ADMINISTRATION/VERIFIED STATEMENT FILED (82-3-1205) DATE
- ☐ CERTIFIED/EXEMPLIFIED COPY FROM (DOMICILE) DATE
- ☐ WILL OR PAPERS FILED ONLY ☐ WILL PROBATED ONLY DATE
- ☐ LITIGATION PENDING ☐ LITIGATION RESOLVED DATE
- ☐ OTHER

DATE OF FINAL DISPOSITION 10/25/12 JUDGE AT DISPOSITION 25 DATE☐ FINAL ACCOUNTING RECEIVED☒ PETITION FOR FINAL DISCHARGE 10-25-12☒ FINAL DISCHARGE / LETTERS DISMISSORY (ALSO SHOWN AS DATE OF FINAL DISPOSITION) 10-25-12**ESTATE****CASE HISTORY / ELEMENTS OF CASE**

- ☐ NOTICE TO CREDITORS INITIALLY PUBLISHED
- ☐ CERTIFICATE OF PUBLICATION/PRINTER'S AFFIDAVIT
- ☐ INVENTORY AND APPRAISEMENT RECEIVED
- ☐ PROBATE COURT COST PAID \$
- ☐ NOTIFICATION SENT TO TAX COMMISSION (COPY TO SCCA)

DATE RECEIVED

INTERIM ACCOUNTINGS
(PLEASE NOTE IF
EXTENSION GRANTED)**GUARDIANSHIP / CONSERVATORSHIP**PROBATE COST PAID \$ 95.00 DATEDATE OF BIRTH OF PROTECTED PERSON: 08/30/10DATE INVENTORY RECEIVED: 08/30/10**LIST BELOW ALL ACCOUNTINGS RECEIVED**
(PLEASE NOTE IF EXTENSION GRANTED)Interim 4/28/12LIST ALL ACTIONS NOT LISTED ABOVE ON REVERSE SIDE
SCCA 201 REV 11/08

SOUTH CAROLINA COURT ADMINISTRATION

LIST ALL ACTIONS NOT LISTED ABOVE ON REVERSE SIDE

STATE OF SOUTH CAROLINA

COUNTY OF: HAMPTON

IN THE MATTER OF: Hakeem Pinckney

IN THE PROBATE COURT

CONSERVATOR ANNUAL ACCOUNTING

CASE NUMBER: 2010GC250009

The undersigned Conservator submits this accounting, which covers the period from 9/8/10 through 11/30/11.

The documentation on page 2 of this form sets forth a complete accounting for the period specified, which is summarized as follows:

Beginning Balance	0
Plus: Receipts	0
Subtotal	0
Less: Disbursements	0
Ending Balance	0

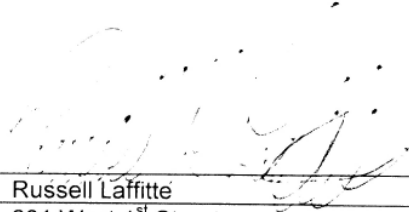
The Conservator declares that this account has been examined and that its contents represent a correct statement of all receipts and disbursements and is true to the best knowledge and belief of the Conservator.

Executed this 11th day of Dec, 20 11.

SWORN to before me this 6th day of Dec, 20 11.

Mark A. Tuber
Notary Public for South Carolina

My Commission Expires: 04-19-2015

Signature: Name: Russell LaffitteAddress: 601 West 1st StreetHampton, SC 29924Telephone (O): [REDACTED](H):

PROBATE COURT
HAMPTON COUNTY, SC
FILED
DATE 12/22/11
TIME 9:45

CD #7-1-0002

TOTAL

STATE OF SOUTH CAROLINA

COUNTY OF: HAMPTON

IN THE MATTER OF: Hakeem L. Plnckney

IN THE PROBATE COURT

PETITION FOR DISCHARGE

CASE NUMBER: 2010GC250009

☐ GUARDIANSHIP
☒ CONSERVATORSHIP

Petitioner: Russell Laffitte

1. Nature of interest of undersigned: _____

2. Other pending proceedings relating to the above ward/protected person are:

3. RELIEF SOUGHT:

- ☐ A. Termination/Discharge because:
- ☒ Ward/Protected Person died on 10/11/11 MC
- ☐ Guardian/Conservator died on _____
- ☐ Protected Person has reached the age of eighteen or has married.
- ☐ Guardian/Conservator was adjudicated incapacitated on _____, at _____
- ☐ Guardian/Conservator hereby offers resignation and requests Court acceptance.
- ☐ Will establishing Testamentary Guardianship was denied probate in a formal hearing on _____ at _____
- ☐ B. Readjudication of Incapacity
- ☐ The ward/protected person is no longer incapacitated.
- ☐ Special leave of Order dated _____ prohibiting petition prior to _____ is hereby requested because: _____

4. I request that the Court: (check all that apply)

- ☐ A. Consider and approve the final accounting.
- ☐ B. Adjudicate as to all unsettled liabilities
- ☒ C. Discharge, or set forth the conditions of the termination of the appointment of the Guardian/Conservator, and the release of the Fiduciary's bond, if any.
- ☐ D. Terminate the office.
- ☐ E. Other: _____
- ☐ F. Issue an Order of same, together with such other Orders as the law may require and as the Court may deem applicable and proper.

FORM #571PC (1/91)

62-5-103, 62-5-306, 62-5-307, 62-5-405, 62-5-406,
62-5-415, 62-5-416, 62-5-419, 62-5-430PROBATE COURT
HAMPTON COUNTY SC

FILED

DATE 12/22/11TIME 9:45

Page 1 of 2

SA010

STATE OF SOUTH CAROLINA
COUNTY OF: HAMPTON
IN THE MATTER OF: Natasha Thomas

)
)
) IN THE PROBATE COURT
) **CONSERVATOR ANNUAL ACCOUNTING**
) CASE NUMBER: 2010GC2500010
)

The undersigned Conservator submits this accounting, which covers the period from 10/6/10 through 11/30/11.

The documentation on page 2 of this form sets forth a complete accounting for the period specified, which is summarized as follows:

Beginning Balance	_____	0
Plus: Receipts	_____	0
Subtotal	_____	0
Less: Disbursements	_____	0
Ending Balance	_____	0

The Conservator declares that this account has been examined and that its contents represent a correct statement of all receipts and disbursements and is true to the best knowledge and belief of the Conservator.

Executed this 12th day of Dec, 20

SWORN to before me this 6th day of
Nov 20 11

Wanda A. Tuten
Notary Public for South Carolina

My Commission Expires: 04-19-2015

Signature: 

Name: Russell Laffitte

Address: 601 West 1st Street
Hampton, SC 29924

Telephone (O): [REDACTED]

(H): [REDACTED]

RECEIPTS		DISBURSEMENTS	
(assets received into estate)		(assets disbursed/paid out from estate)	
0		0	
TOTAL			

STATE OF SOUTH CAROLINA)
COUNTY OF: HAMPTON) IN THE PROBATE COURT
IN THE MATTER OF: Natasha Thomas) PETITION FOR DISCHARGE
CASE NUMBER: 2010GC2500010

☐ GUARDIANSHIP
☒ CONSERVATORSHIP

Petitioner: Russell Laffitte

1. Nature of interest of undersigned: _____
2. Other pending proceedings relating to the above ward/protected person are: _____
3. RELIEF SOUGHT:
 - ☐ A. Termination/Discharge because:
 - ☐ Ward/Protected Person died on _____
 - ☐ Guardian/Conservator died on _____
 - ☒ Protected Person has reached the age of eighteen or has married.
 - ☐ Guardian/Conservator was adjudicated incapacitated on _____, at _____
 - ☐ Guardian/Conservator hereby offers resignation and requests Court acceptance.
 - ☐ Will establishing Testamentary Guardianship was denied probate in a formal hearing on _____ at _____
 - ☐ B. Readjudication of Incapacity
 - ☐ The ward/protected person is no longer incapacitated.
 - ☐ Special leave of Order dated _____ prohibiting petition prior to _____ is hereby requested because: _____
4. I request that the Court: (check all that apply)
 - ☐ A. Consider and approve the final accounting.
 - ☐ B. Adjudicate as to all unsettled liabilities
 - ☒ C. Discharge, or set forth the conditions of the termination of the appointment of the Guardian/Conservator, and the release of the Fiduciary's bond, if any.
 - ☐ D. Terminate the office.
 - ☐ E. Other: _____
 - ☐ F. Issue an Order of same, together with such other Orders as the law may require and as the Court may deem applicable and proper.

FORM #571PC (1/91)

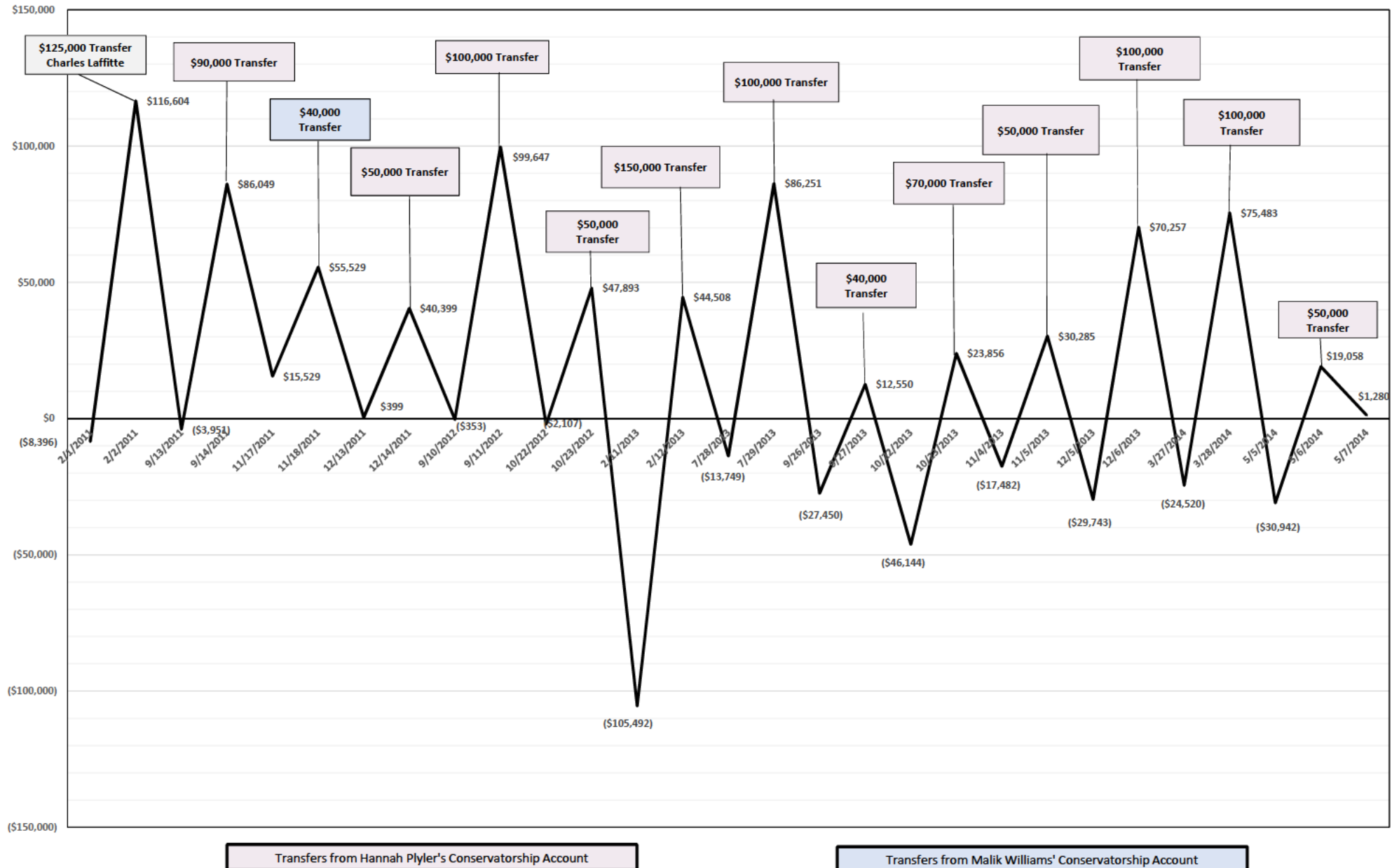
62-5-103, 62-5-306, 62-5-307, 62-5-405, 62-5-406,
62-5-415, 62-5-416, 62-5-419, 62-5-430

Page 1 of 2

FILED
DATE 12/22/11
TIME 9:45

SA013

Murdaugh Bank Account Balances Before and After Transfers from Settlement Proceeds and Conservatorship Accounts



LAW OFFICES
PETERS, MURDAUGH, PARKER, ELTZROTH & DETRICK

JOHN E PARKER
* CLYDE A. ELTZROTH, JR.
J PAUL DETRICK
DANIEL E. HENDERSON
MARK D BALL
RANDOLPH MURDAUGH, IV
RONNIE L. CROSBY
R ALEXANDER MURDAUGH
BERT G. UTSEY, III
RANDOLPH MURDAUGH, III
GRAHAME E. HOLMES
LEE D. COPE
MATTHEW V. CREECH
LEAGUE B. CREECH
STEVEN D. MURDAUGH
WILLIAM F. BARNES, III
* INACTIVE

PROFESSIONAL ASSOCIATION
101 MULBERRY STREET EAST
PO BOX 457
HAMPTON, SOUTH CAROLINA
29924-0457

RANDOLPH MURDAUGH, SR.
(1887-1940)
RANDOLPH MURDAUGH, JR.
(1915-1998)
J. ROBERT PETERS, JR.
(1927-2008)

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TOLL FREE
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FACSIMILE
(803) 943-3943
(803) 914-2014
WEBSITE
www.pmped.com

December 6, 2010

VIA HAND DELIVERY

Mr. Russell Laffitte
Palmetto State Bank
601 W 1st St.
Hampton, SC 29924

Re: *Russell Laffitte As Conservator for Natasha Thomas*
[REDACTED]

Dear Russell,


We are handling a case for Natasha Thomas and she would like to obtain a loan from Palmetto State Bank in the amount of \$2,500.00. Her case should be settled or tried within the next year for an amount sufficient to repay the loan, plus interest. Natasha Thomas, by signing this letter, is hereby assigning sufficient proceeds from her case to repay the loan.

I have enclosed a self-addressed stamped envelope and ask that you forward a copy of the loan papers should you elect to approve the loan.

If you should have any questions, please call me at 803-943-2111 ext 239. Thank you in advance for your prompt assistance in this matter.

With kind personal regards, I am

Sincerely,


R. Alexander Murdaugh

RAM/bbh
I CONSENT


Natasha Thomas



100 YEARS OF LEGAL SERVICE 1910-2010

PSB 180536